

U.S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF MS
FILED

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DANNY L. MILLER
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BY *h* DEPUTY

Irene Louise Lehane
929 Lime Street
Ocean Springs, MS 39564
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Pro Se Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

13-52357

In Re:

IRENE LOUISE LEHANE,

Debtor.

In Proceedings Under Chapter 13

Case No.

**MOTION TO (EXTEND OR IMPOSE) THE
AUTOMATIC STAY PURSUANT TO 11
U.S.C. §362(C)(3) [OR(4)]**

The Debtor respectfully requests that this Court (extend or impose) the automatic stay, pursuant to 11 U.S.C. §362(c)(3) [or (4)], and in support thereof states:

1. The Debtor filed this bankruptcy petition on 11/27/13.
2. The Debtor previously filed bankruptcy (4-bk-12-07754-EWH), under Chapter 13 on 4/12/12 and that case was dismissed on 11/18/13.
3. The Debtor had no other pending bankruptcy cases in the preceding one-year period.
4. The Debtor did not have any prior cases dismissed in the past year for any of the following reasons:
 - a. Failure to file or amend other required documents without substantial excuse;
 - b. Failure to provide adequate protection as ordered by the court; or
 - c. Failure to perform the terms of a plan confirmed by the Court.
5. There has been a substantial change in the financial or personal affairs of the Debtor since the dismissal of the last case, and the Debtor believes that this case will result in a confirmed plan that will be fully performed. (Those changes are described in the attached affidavit.)
6. At the time of the dismissal of the prior case, one or more creditors had filed a Motion for Relief from Stay and such motion(s) (was/were) pending or had been resolved by terminating, conditioning, or limiting the stay as to actions by such creditor(s):

1 Everhome Mortgage, by and through counsel, Tiffany & Bosco, filed a Motion for Relief
2 from Automatic Stay on 7/12/12. This Motion was set for hearing and the Motion was later
3 withdrawn on 11/30/12.

4 7. Debtor respectfully requests that the Automatic Stay remain in force for the remainder of this
5 Chapter 13 case.

6 Any responses/objections to this motion shall be filed with the United States Bankruptcy Court in
7 the Southern District of Mississippi, 2012 15th Street, Suite 244, Gulfport, MS 39501 and mailed
8 directly to the Debtor, Irene Louise Lehane at 929 Lime Street, Ocean Springs, MS 39564 within 18
9 days of receipt of this Motion.

10 RESPECTFULLY SUBMITTED this 26th day of November 2013.

11 By: Irene L. Lehane
12 Irene Louise Lehane
13 Pro Se Debtor
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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

In re: Irene Louise Lehane
Pro Se Debtor

Case No.:

Chapter 13

DECLARATION IN SUPPORT OF MOTION TO IMPOSE
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(4)

The debtor, in support of the Motion to Impose the Automatic Stay, states as follows:

1. I have personal knowledge of the facts listed in the foregoing situation.
2. I am over the age of 18, of sound mind, am capable of making this Declaration, and am fully competent to testify to the matters stated herein.
3. I filed this bankruptcy petition on 11/27/13.
4. I previously filed the following bankruptcy cases:
4-bk-12-07754, under Chapter 13 on 4/12/12 dismissed on 11/18/13.
5. I have had no other pending bankruptcy cases in the preceding one-year period.
6. I have not had any prior case[s] dismissed in the past year for any of the following reasons:
 - failure to file or amend the petition or other required documents without substantial excuse;
 - failure to provide adequate protection as ordered by the Court; or
 - failure to perform the terms of a plan confirmed by the Court.
7. I have had a substantial change in my financial or personal affairs since the dismissal of the last case, and I believe that this case will:

will result in a confirmed plan that will be fully performed.
8. Those changes are as follows:

During the prior Chapter 13 case, I had been laid off and was unable to find steady employment. This caused me to fall behind in my play payments to the point of being unable to catch them up in that plan. I have

1 since moved to Mississippi and found employment that will allow me to make my payments and allow the plan
2 to succeed.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on

11/27/13
Date


Debtor's Signature